

REMARKS/ARGUMENTS

In the office action dated August 25, 2005, the Examiner maintained the rejection of claims 19 and 37 under 35 U.S.C. §102 as being anticipated by United States Patent No. 5,163,433 (Kagawa et al.) Applicant respectfully traverses this rejection on the grounds set forth herebelow.

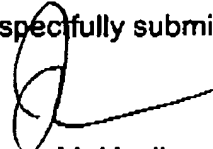
Claim 19 recites a device that includes a tissue ablator useable to ablate trabecular meshwork. Claim 37 further defines the tissue ablator as comprising a bipolar electrode system. Kagawa et al. does not disclose any use of the device wherein tissue is ablated as required in independent claim 19. Moreover, the Kagawa et al. device incorporates an ultrasonic oscillation device, not a bipolar electrode system as recited in dependent claim 37.

On the basis of the above-stated arguments, it is requested that the rejection of claims 19 and 37 be withdrawn or, alternatively, that such rejection be made final so as to permit entry of a Request for Continuing Examination (RCE) and prosecution of new claims 118-130 which were presented in the amendment of June 2, 2005.

No fee is seen to be due in connection with this supplemental response. However, if any fee is properly deemed to be due, the Office is hereby authorized to deduct such fee from Deposit Account No. 20-1430.

Date: September 19, 2005

Respectfully submitted,



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